

Bills Affecting or of Interest to State or Local Government Passed in the 2009 Annual General Session of the Legislature

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Community Development & Renewal Agencies

S.B. 205 ***Community Development and Renewal Agency Amendments*** (Sen. C. Bramble)

This bill:

- ▶ modifies the definitions of "base taxable value," "inactive airport site," "inactive industrial site," and "project area budget";
- ▶ authorizes an agency created by a county to undertake urban renewal, economic development, or community development within a town under certain circumstances;
- ▶ modifies a provision relating to a public entity's assistance or cooperation in urban renewal, economic development, or community development;
- ▶ modifies a provision relating to a resolution or interlocal agreement authorizing an agency to be paid tax increment or sales tax revenue;
- ▶ requires the taxing entity committee to adopt an organizing resolution at its first meeting;
- ▶ modifies the amount of tax increment to be paid under an urban renewal project area plan for an inactive airport site;
- ▶ requires the applicable project area budget, resolution, or interlocal agreement to specify limits on the amount of tax increment and sales tax revenue that an agency will be paid and prohibits an agency from being paid more tax increment or sales tax than specified, unless otherwise agreed;
- ▶ prohibits an agency from using tax increment to pay for bonds or other obligations for financing a telecommunications facility;
- ▶ modifies a provision relating to funds for income targeted housing;
- ▶ imposes obligations on an agency that uses tax increment to pay for communication infrastructure or a communication facility;
- ▶ extends from 30 to 90 days the period of time within which an agency is

required to file a copy of its annual budget after adopting the budget; and
▶ narrows application of a provision requiring an agency to allocate tax increment funds for housing to economic development project area budgets adopted before the effective date of this bill.

Counties

H.B. 12 ***County Sheriff Qualification Amendments*** (Rep. R. Greenwood)

This bill:

- ▶ provides new certification requirements for county sheriffs elected after the 2008 regular general election;
- ▶ requires a person filing a declaration of candidacy for county sheriff to submit a certificate issued by the Peace Officer Standards and Training Division stating that the candidate:
 - has successfully met the standards and training requirements established for law enforcement officers in Title 53, Chapter 6, Part 2, Peace Officer Training and Certification Act; and
 - has qualified to be certified as a law enforcement officer, as defined in Section 53-13-103;
- ▶ requires an elected county sheriff to be certified at the time of taking office as:
 - a correctional officer, as defined in Section 53-13-104; or
 - a correctional facility manager by having completed a correctional facility management course approved by the POST Council; and
- ▶ requires a county sheriff to remain certified as a law enforcement officer and as a correctional officer or correctional facility manager during the sheriff's term of office.

H.B. 198 ***Marriage License Fee Amendments*** (Rep. C. Johnson)

This bill:

- ▶ requires county clerks to collect an additional \$10 for a marriage license fee and to transmit that amount to the Division of Finance for distribution to the Division of Child and Family Services for use in the operation of shelters for victims of domestic violence, if the applicant chooses to pay the fee; and
- ▶ allows a marriage license applicant to choose whether to pay the additional fee.

**H.B. 220 State Payment and Reimbursement
to County Correctional Facilities**
(Rep. M. Noel)

This bill:

- ▶ requires the Division of Finance to pay counties, for housing state probationary inmates or state parole inmates, at a rate of 50% of the final state daily incarceration rate;
- ▶ provides that, on at least a monthly basis, a county must submit a report to the Utah Commission on Criminal and Juvenile Justice regarding the housing of state probationary inmates or state parole inmates;
- ▶ grants rulemaking authority to the Utah Commission on Criminal and Juvenile Justice;
- ▶ provides that the Utah Commission on Criminal and Juvenile Justice shall adjust the amount to be paid to the counties for housing state probationary inmates or state parole inmates to ensure that the total amount of the payments made does not exceed the amount appropriated by the Legislature for the payments;
- ▶ provides that the Division of Finance shall, on or before December 15 of each year, pay each county for housing state probationary inmates and state parole inmates, based on the number housed by each county during the state fiscal year that ended on June 30 of the preceding calendar year;
- ▶ provides for the distribution of information to, and the discussion of information by, the counties regarding the "actual state daily incarceration rate" and the number of state probationary inmates and state parole inmates housed by each county; and
- ▶ makes technical changes.

H.B. 291 County Personnel Amendments
(Rep. B. King)

This bill:

- ▶ increases from 90 to 270 the number of days that county personnel rules are to provide as the maximum period for temporary, provisional, other noncareer service, and emergency appointments; and
- ▶ eliminates language allowing that period to be extended.

**H.B. 309 County Fiscal Procedures
Amendments** (Rep. C. Herrod)

This bill:

- ▶ modifies a provision relating to transferring an unencumbered or unexpended appropriation balance or

incurring an excess expenditure to:

- eliminate the need for the budget officer's consent and require instead the officer's review; and
 - allow the transfer or expenditure if it is in accordance with budgetary and fiscal policies or ordinances adopted by the county legislative body; and
- ▶ modifies a provision requiring county officers to be paid monthly to allow officers to be paid monthly, semi-monthly, or bi-weekly, as determined by the county legislative body.

H.B. 413 County Authority Amendments (Rep. R. Menlove)

This bill:

- ▶ authorizes county legislative bodies to divide the county into divisions and apply different fencing regulations in each division.

S.B. 73 Unincorporated Areas Amendments (Sen. K. Mayne)

This bill:

- ▶ modifies the municipal annexation process with respect to a proposed annexation of an area included within a township to include a process for withdrawal of the area from the township;
- ▶ prohibits the filing of an annexation petition if the area proposed to be annexed is within a proposed township;
- ▶ repeals a provision prohibiting a municipality from denying, under certain circumstances, a petition proposing the annexation of an area located in a county of the first class;
- ▶ modifies the process for establishing a township and the authority of a county legislative body with respect to the establishment of a township;
- ▶ repeals obsolete language;
- ▶ provides a process for withdrawing an area from a township;
- ▶ provides a process for dissolving a township;
- ▶ repeals a provision limiting annexations of territory in a township; and
- ▶ repeals a provision repealing in 2010 a provision that prohibits an annexation by a municipality in a county of the first class under certain circumstances.

Elections

**H.B. 43 Coordinating Municipal and Special District
Elections** (Rep. K. Grover)

This bill:

- ▶ provides that polling places for a local district and special service district board member election designated by a county clerk shall coincide with municipal general election polling places whenever feasible;
- ▶ repeals the requirement that separate election judges at the same polling place must be used if a local district or special service district

- ▶ election ballot cannot be consolidated with a municipal election ballot; and provides that a municipality as well as a county may be reimbursed by a local district or special service district holding an election for the costs of the election attributable to that local district or special service district.

H.B. 44 Local and Special Service District Election Amendments (Rep. K. Grover)

This bill:

- ▶ allows a local district or special service district candidate to be appointed if unopposed;
- ▶ defines "district";
- ▶ allows a district to conduct an election solely by absentee ballot;
- ▶ addresses the district's provision of information and ballots to voters within the district;
- ▶ provides for the district to obtain signatures from all voters within the district from the voter or county clerk; and
- ▶ addresses the procedure for a district to verify each ballot received.

H.B. 56 Declaration of Candidacy Amendments (Rep. D. Aagard)

This bill:

- ▶ amends dates for filling midterm vacancies for county or district attorney;
- ▶ changes filing a declaration of candidacy and a petition of nomination dates for officers elected during a general election from between March 7 and March 17 to between the second Friday and the third Friday in March; and
- ▶ makes technical changes.

H.B. 126 Voter Identification for Elections (Rep. B. Daw)

This bill requires that a voter present identification before being allowed to vote.

This bill:

- ▶ requires identification of voters and eliminates certain forms of identification as valid voter identification;
- ▶ requires valid voter identification be presented before a voter may vote;
- ▶ provides for a fee waiver for an application for an identification card by certain indigent applicants;
- ▶ allows the Driver License Division to seek certain information from the Tax Commission to verify a person's indigency; and
- ▶ changes or eliminates various provisions addressing the language in

voter registration forms, the need for valid voter identification, and the definition of "legally entitled to vote."

H.B. 390

Absentee Ballot Amendments (Rep. J. Mathis)

This bill:

- ▶ requires that applications for absentee ballots be applied for no later than the Friday before the election date, regardless of whether the absentee ballot will be voted by mail or in person; and
- ▶ requires that in-person absentee ballots be cast no later than the Friday before the election date.

H.J.R. 8 Joint Resolution Regarding Secret Ballot (Rep. C. Wimmer)

This joint resolution of the Legislature proposes to amend the Utah Constitution to:

- ▶ include elections under state or federal law for public office, on an initiative or referendum, or to designate or authorize employee representation or individual representation among the elections that are required to be by secret ballot.

S.B. 24 Early Voting Amendments (Sen. P. Knudson)

This bill:

- ▶ repeals a requirement that counties of the first class provide at least one early voting polling place within each Utah State Senate district in the county and that at least one of those early voting polling places is open on each day that early voting is offered; and
- ▶ requires that early voting polling places be proportionately distributed based on population within a county of the first class.

S.B. 25 Online Voter Registration (Sen. P. Knudson)

This bill:

- ▶ allows the lieutenant governor to create an electronic system for voter registration;
- ▶ addresses the information and authorization required from an applicant for voter registration who uses the electronic system;
- ▶ authorizes the use of an applicant's signature obtained from driver license or identification card records for voter registration purposes;
- ▶ authorizes the lieutenant governor to implement additional security measures in connection with the electronic voter registration system;
- ▶ requires the lieutenant governor to forward an applicant's materials to the appropriate county clerk for processing; and
- ▶ requires the Driver License Division to provide a digital copy of an applicant's driver license or identification card record to the lieutenant governor or county clerk.

S.B. 27 Election Law Changes (Sen. P. Knudson)

This bill:

- ▶ clarifies the requirements to be legally entitled to vote when voting in a precinct outside of one's own;
- ▶ changes the date for the Western States Presidential Primary election canvass;
- ▶ changes numerous provisions that require specific placement of various ballot items to more general placement requirements;
- ▶ clarifies that a proposed constitutional amendment is a "measure" for the purposes of Title 20A, Chapter 7, Issues Submitted to the Voters;
- ▶ addresses the responsibility for prosecuting misconduct of electors and officers;
- ▶ changes the unaffiliated candidate pledge to include a pledge concerning campaign financial disclosures;
- ▶ changes filing deadlines for certain city, town, or local district offices;
- ▶ allows an unaffiliated candidate for President or Vice President of the United States to use a designated agent to file a certificate of nomination; and
- ▶ clarifies that a write-in candidate must file a declaration of candidacy in person or through a designated agent.

General

H.B. 64 Deterring Illegal Immigration (Rep. B. Dee)

This bill:

- ▶ authorizes the Office of the Attorney General to administer and coordinate the operations of a multi-agency strike force to deal with major felony crimes committed within the state related to illegal immigration and human trafficking;
- ▶ provides for voluntary participation in the strike force by officers of U.S. Immigration and Customs Enforcement and state and local law enforcement personnel to more effectively utilize their combined skills, expertise, and resources;
- ▶ provides that the strike force shall focus its efforts on detecting, investigating, deterring, and eradicating violent and other major felony criminal activity within the state related to illegal immigration and human trafficking;
- ▶ provides for a Fraudulent Documents Identification Unit; and
- ▶ requires an annual report.

This bill appropriates:

- ▶ \$891,000 from "Federal Funds - American Recovery and Reinvestment Act (HR 1, 111th United States Congress)" for fiscal years 2009 and 2010 only, to the Commission on Criminal and Juvenile Justice.

H.B. 179

State-owned Land Amendments (Rep. K. Gibson)

This bill:

- ▶ modifies the definition of "critical land" to include a parcel for which part of the land is exchanged;
- ▶ authorizes the Department of Natural Resources to exchange a portion of a critical land parcel if certain conditions are met; and
- ▶ authorizes the Division of Facilities Construction and Management to exchange certain land it owns with a public transit district for a specified purpose.

S.B. 18 Utah Transparency Advisory Board Amendments (Sen. W. Niederhauser)

This bill:

- ▶ changes the composition of the Utah Transparency Advisory Board;
- ▶ provides for financial information from certain local entities to be included on the local entities' websites and linked to the Utah Public Finance Website;
- ▶ provides for an exception from liability provisions for improper disclosure of records under Title 63G, Chapter 2, Government Records Access and Management Act; and
- ▶ provides time periods for the provision of financial information by local entities.

S.B. 26 Open and Public Meetings Act - Meeting Record (Sen. P. Knudson)

This bill:

- ▶ clarifies that the minutes of a meeting must include information requested to be added by a member only if that information was part of the proceedings of the meeting;
- ▶ provides specific circumstances as to when the written minutes of an open meeting become a public record;
- ▶ requires a public body to establish and implement procedures for approval of written minutes;
- ▶ requires that a recording of an open meeting must be available to the public for listening within three business days after the meeting;
- ▶ repeals a requirement that a recording must be converted to written minutes within a reasonable time upon request; and
- ▶ provides that a meeting recording is not required for site visits or traveling tour or for certain small local districts.

S.B. 83 Condemnation Amendments (Sen. D. Stowell)

This bill:

- ▶ requires a condemnor acquiring property under threat of condemnation to provide a written

- statement identifying the public use for which the property is acquired;
- requires a condemnor to offer to sell the acquired property to the condemnee at the acquisition price before the property is put to a use other than the public use for which it was acquired, with exceptions;
- authorizes a condemnee to accept the offer and purchase the property at the acquisition price if the offer is accepted within a specified time;
- requires the condemnee to conclude the purchase of acquired property within a reasonable time after accepting the offer;
- provides that a condemnor has no further obligation to a condemnee with respect to the property if the condemnee fails to accept the offer in the time specified;
- provides that a condemnor's obligation to offer acquired property to the condemnee terminates once the acquired property is put to the use for which it is acquired;
- provides that the sale or transfer of acquired property none of which has been put to the use for which it was acquired is considered a use other than the public use for which it was acquired;
- provides that a condemnee may waive the condemnee's right to purchase acquired property; and
- clarifies this provision's impact on existing law.

S.B. 139 *Employer Election Retirement Amendments* (Sen. C. Bramble)

This bill:

- adds a six-month window for employers of an entity created under the Interlocal Cooperation Act to elect to participate in the Public Employees' Noncontributory Retirement System;
- provides election and notice procedures for the retirement system conversion election;
- allows employees of the eligible entity six months to elect to participate in the Public Employees' Noncontributory Retirement System; and
- extends the deadline that a participating employer may elect to provide a maximum 4% COLA, instead of a maximum 2.5% COLA, to its eligible public safety retirees from December 1, 2009 to December 1, 2012.

S.B. 208 *Utah Public Notice Website Amendments* (Sen. S. Urquhart)

This bill:

- amends provisions of the Utah Code to allow posting of legal notices on a website.

S.J.R. 8 *Joint Resolution Regarding Eligibility for Legislative Office* (Sen. S. McCoy)

This joint resolution of the Legislature proposes to amend the Utah Constitution to:

- specify that the time for calculating residency requirements for a person appointed to fill mid-term vacancies in the office of senator or representative is the time of appointment rather than the time for filing for the office; and
- clarify that a provision prohibiting a senator or representative from continuing to serve after ceasing to be a resident of the applicable district applies also to a person appointed to fill a mid-term vacancy.

Health

S.B. 20 *Local Public Health Emergency Funding* (Sen. D. Stowell)

This bill:

- requires the Department of Health to establish a local health emergency assistance program;
- establishes requirements for the program; and
- requires the Department of Health to submit an annual written report on program activity to the Health and Human Services Interim Committee, with a copy of the report to the designated appropriations subcommittee.

S.B. 21 *State and Local Health Authorities Amendments* (Sen. D. Stowell)

This bill:

- modifies responsibilities of the Department of Health and local health departments with respect to their interrelationship;
- requires the Department of Health to establish a committee consisting of Department of Health and local health department representatives;
- provides for the responsibilities of the committee;
- provides a process for processing applications for federal grants and establishing the goals and budget for federal grants; and
- allows the Department of Health to use federal grant money to pay certain administrative costs.

Impact Fees

H.B. 259 *Local Government Amendments* (Rep. S. Sandstrom)

This bill:

- enacts a definition of "charter school" in impact fee provisions;
- repeals obsolete language relating to impact

- fees;
- clarifies the purposes of an impact fee capital facilities plan;
- modifies provisions relating to the written analysis associated with impact fees;
- modifies provisions relating to an impact fee enactment;
- limits impacts fees that can be imposed on a school district or charter school;
- requires local political subdivisions and private entities to ensure that their impact fees comply with the requirements of this bill, even if the impact fee was earlier imposed but not paid;
- requires a local political subdivision or private entity to participate in mediation of any applicable fee if the state, a school district, or a charter school requests mediation; and
- narrows a limitation on a county and municipality's ability to impose regulations on the location of a facility to apply only to certain educational facilities.

H.B. 274 *Local Government Fees and Charges* (Rep. C. B. Wallis)

This bill:

- requires specified public agencies to submit a development plan and schedule to local authorities to allow the local authorities to make assessments to provide information to the public agencies for inclusion in the process of compiling a development budget;
- provides that the specified public agencies vest in applicable local provisions, maps, and fees;
- clarifies that the fees which must be paid by an applicant before being entitled to approval of a land use application are application fees;
- limits hookup and other fees imposed by counties, municipalities, local districts, and special service districts;
- modifies the definitions of "hookup fee," "impact fee," "project improvements," and "system improvements" in the Impact Fees Act;
- repeals obsolete language;
- clarifies the purposes of a capital facilities plan relating to an impact fee;
- modifies provisions relating to an impact fee analysis;
- modifies requirements applicable to an impact fee enactment;
- limits impact fees imposed on the

- state;
- modifies a provision relating to permissible expenditures of impact fees;
- clarifies that a local political subdivision may act by resolution in establishing an administrative impact fee appeals procedure; and
- requires a local political subdivision or private entity to participate in mediation of an impact fee challenge if a specified public agency requests mediation.

S.B. 84 *Impact Fees Revisions* (Sen. G. Bell)

This bill:

- modifies the definition of "public safety facility";
- repeals obsolete language;
- shortens from 14 to 10 days the period of time before a public hearing date that a notice of a capital facilities plan or amendment is required to be given;
- shortens from 14 to 10 days the period of time before adoption of an impact fee enactment that a local political subdivision is required to submit a copy of the written impact fee analysis and applies that time period to a new requirement to obtain a written certification;
- modifies impact fee reporting requirements;
- requires a local political subdivision to obtain a written certification from the person or entity that prepares the written impact fee analysis and specifies the content of that certification;
- shortens from 14 to 10 days the period of time before a public hearing that a local political subdivision and private entity is required to make a copy of the impact fee enactment available and to mail a copy of the enactment; and
- modifies a provision restricting the imposition of an impact fee to pay for a public safety facility.

Land Use, etc.

H.B. 156 *Subdivision Approval Amendments* (Rep. R. C. Webb)

This bill:

- authorizes an owner of a contiguous parcel of agricultural land within a county of the third, fourth, fifth, or sixth class to divide from the land one parcel per 100 acres, without complying with subdivision plat requirements or county subdivision ordinances; and prohibits counties of the third, fourth, fifth, and sixth class from denying a building permit to an owner of a minor subdivision parcel if the parcel meets the county's reasonable standards for health, safety, and access.

H.B. 258 **Amendments to Notice Provisions for Subdivision Changes** (Rep. K. Powell)

This bill:

- ▶ modifies a reference to a notice provision in a provision relating to proposed changes to subdivision plats.

H.B. 323 **Amendments Regarding Notice on Utah Public Notice Website** (Rep. B. Winn)

This bill:

- ▶ modifies the notice that certain entities are required to provide before preparing a proposed general plan or amendment, long-range plan, or capital facilities plan so that:
 - some entities are required to provide notice on the Utah Public Notice Website rather than to the state planning coordinator; and
 - those entities not required to provide notice on the Utah Public Notice Website but that voluntarily provide notice on that website need not provide notice to the state planning coordinator.

H.B. 327 **Building Inspector Amendments** (Rep. D. Aagard)

This bill:

- ▶ requires that a local regulator issuing a single-family residential building permit provide for a review of the building permit inspection.

S.B. 41 **Siting of High Voltage Power Line Act** (Sen. P. Knudson)

This bill:

- ▶ requires a public utility to notify an affected entity and affected landowner when applying for a land use permit to construct a high voltage power line;
- ▶ requires a public utility to conduct public workshops and distribute information to the public on the proposed high voltage power line; and
- ▶ authorizes a public utility or local government to appeal a high voltage power line route to the Utility Facility Review Board.

S.B. 153 **County and Municipal Land Use Amendments** (Sen. M. Madsen)

This bill:

- ▶ prohibits counties and municipalities from requiring, as a condition of land use application approval, a person to obtain documentation regarding a

school district's willingness, capacity, or ability to serve the development proposed in the land use application;

- ▶ prohibits counties and municipalities from charging fees that exceed applicable costs; and
- ▶ requires counties and municipalities, on request, to itemize and show the basis of fees they impose.

S.B. 209 **Land Use, Development, and Management Act Amendments** (Sen. G. Bell)

This bill:

- ▶ modifies county and municipal provisions relating to the notice required for a proposed subdivision or an amendment to a subdivision and makes them apply to amendments only;
- ▶ modifies county and municipal provisions relating to a hearing and notice requirement for a proposal to vacate, alter, or amend a public street or right-of-way to:
 - make the provisions apply to a proposal to vacate some or all of a public street, right-of-way, or easement;
 - replace the land use authority with the legislative body as the body responsible to hold a public hearing and provide notice; and
 - modify the notice that is required;
- ▶ eliminates the requirement for a planning commission recommendation on a subdivision plat in certain circumstances when the planning commission is not the land use authority;
- ▶ provides exceptions to a prohibition against separate ownership or conveyance of a parcel designated as a common or community area;
- ▶ modifies county and municipal provisions relating to the vacation, alteration, or amendment of a subdivision plat;
- ▶ modifies the basis upon which a land use authority may approve the vacation, alteration, or amendment of a plat;
- ▶ modifies county and municipal provisions relating to the vacation or alteration of a public street or right-of-way; and
- ▶ repeals a redundant provision.

Local Districts & Special Service Districts

H.B. 167 **County Hospital Retirement Provisions** (Rep. M. Noel)

This bill:

- ▶ allows an employer that is a hospital created as a special service district to elect to be excluded from participation in the Public Employees' Contributory Retirement System and the Public Employees' Noncontributory Retirement System under certain circumstances;
- ▶ provides procedures for the exclusion; and

- ▶ excludes new and existing employees of a special service district hospital from participation in the Public Employees' Contributory Retirement System and the Public Employees' Noncontributory Retirement System under certain circumstances.

H.B. 319 *Disaster Recovery Funding Amendments* (Rep. C. Oda)

This bill:

- ▶ includes certain local districts and special service districts among the local government entities that are authorized to create and maintain a local government disaster fund.

S.B. 131 *Law Enforcement Service in Local Districts and Interlocal Entities* (Sen. S. Jenkins)

This bill:

- ▶ replaces "extended police protection" with "law enforcement service" in the list of services that a local district may be created to provide;
- ▶ eliminates the requirement to submit the creation of a local district to voters for their approval if the local district is created to provide law enforcement service;
- ▶ requires county and municipal legislative body approval of a property tax imposed by a police local district;
- ▶ requires counties and municipalities participating in a police local district to reduce their certified tax rate to offset a tax levied by the district;
- ▶ modifies who appoints one member of a merit system commission for a first class county in which a police local district or police interlocal entity is created;
- ▶ expands an exception as to how the board of trustees of a service area is to be constituted to include a service area created to provide law enforcement service;
- ▶ modifies a provision relating to the duties of a sheriff in a first class county that enters into an interlocal agreement for law enforcement services and expands it to apply to all counties;
- ▶ requires interlocal agreements between a county and one or more municipalities for law enforcement service to require the service to be provided by or under the direction of the county sheriff;
- ▶ specifies that if a police interlocal entity or police local district enters an interlocal agreement for law enforcement service, the sheriff is not

the chief executive officer of any entity created under that agreement, unless the agreement so provides, and that the sheriff provides law enforcement service under that agreement as provided in the agreement;

- ▶ provides that a sheriff is the chief law enforcement officer of a local district or interlocal entity created to provide law enforcement service and is subject to the direction of the local district board or interlocal entity governing body as provided by agreement;
- ▶ limits application of some provisions to districts in counties of the first class;
- ▶ expands certain local district annexation and withdrawal provisions to apply to specified local districts that provide law enforcement service; and
- ▶ repeals a provision relating to a first class county entering an interlocal agreement for law enforcement service.

S.B. 135 *Local District Taxing Authority* (Sen. C. Bramble)

This bill:

- ▶ prohibits service areas that do not have elected boards, as defined, from levying and collecting a property tax, with certain exceptions; and
- ▶ provides a method for service areas to change the board of trustees so that all members are elected.

S.B. 188 *Improvement District - Providing Electric Service* (Sen. D. Stowell)

This bill:

- ▶ authorizes an electric improvement district created after May 11, 2009 to provide electric service to a specified area if certain conditions are met.

Local Government - General

H.B. 61 *Local Government Entity Changes* (Rep. K. Holdaway)

This bill:

- ▶ modifies and clarifies the process of certifying:
 - local government changes that affect or create local government boundaries; and
 - local government name changes;
- ▶ provides a process for certifying final local entity plats for local government boundary changes;
- ▶ eliminates a requirement for municipalities to prepare articles of incorporation as part of the incorporation process and eliminates an alternative to filing articles of incorporation;
- ▶ modifies the authority of city officers-elect;
- ▶ modifies the duties of the lieutenant governor, county surveyors, and county recorders in the process of certifying local government

- ▶ boundary and name changes;
- ▶ modifies the process for a municipality to change its name;
- ▶ establishes the date of recording documents related to a boundary action as the effective date of the boundary action for purposes of assessing property affected by the boundary action;
- ▶ imposes restrictions on a local entity's imposition of property taxes, assessments, or fees until documents related to the boundary action are recorded;
- ▶ modifies the event from which the effective date of a municipal annexation or boundary adjustment is calculated;
- ▶ clarifies and makes technical changes relating to the process of consolidating counties and the process of annexing part of one county to another county;
- ▶ limits a person from filing for recording a plat that depicts a local entity's boundary as it exists as a result of a boundary action unless it complies with certain requirements;
- ▶ modifies the duties of the surveyor within the Automated Geographic Reference Center;
- ▶ makes a political subdivision's boundary in the State Geographic Information Database the official boundary for purposes of US Census Bureau needs; and
- ▶ modifies the process for counties to resolve a dispute or uncertainty about the true location of a county boundary and replaces the state engineer with the surveyor in the Automated Geographic Reference Center in that process.

H.B. 68 Development Exactions (Rep. P. Painter)

This bill:

- ▶ enacts a definition of "water interest";
- ▶ places limitations and restrictions on the imposition of an exaction for a water interest by a county, a county's culinary water authority, or a municipality; and
- ▶ requires culinary water authorities to provide the basis for its calculations of projected water interest requirements.

H.B. 141 Billboard Amendments (Rep. C. Frank)

This bill:

- ▶ modifies the criteria under which a county or municipality is considered to have initiated the acquisition of a

- ▶ billboard structure by eminent domain when the county or municipality prevents the billboard owner from relocating the billboard;
- ▶ modifies the height limitation applicable to a billboard erected by an owner who modifies, upgrades, or relocates a billboard;
- ▶ increases from 60 to 90 days the period during which a county or municipality and billboard owner have to agree to a mutually acceptable location before the county or municipality is considered to have initiated the acquisition of a billboard by eminent domain;
- ▶ modifies the allowable height of an outdoor advertising sign whose height is adjusted by the owner because of an obstruction due to state agency action; and
- ▶ adds definitions to county and municipal land use provisions and to the Utah Outdoor Advertising Act.

H.B. 164

Migratory Bird Production Areas (Rep. C. Oda)

This bill:

- ▶ authorizes the creation of a migratory bird production area;
- ▶ authorizes a landowner to remove land from a migratory bird production area;
- ▶ requires a municipality to have the written permission of all landowners within a migratory bird production area to annex land within the production area;
- ▶ clarifies the effect the creation of a migratory bird production area would have on receiving the benefits of the Farmland Assessment Act;
- ▶ prohibits a county from enacting certain ordinances regarding a migratory bird production area;
- ▶ requires a county to exclude activities associated with a migratory bird production area from being a public nuisance; and
- ▶ establishes a defense for a migratory bird production area in civil or criminal nuisance actions.

H.B. 257

Political Subdivision Clerk Amendments (Rep. M. Newbold)

This bill:

- ▶ modifies a provision stating that a report mailed to a political subdivision is considered received on the date indicated in the post office stamp to make it conditioned, for certain reports, upon the report having been mailed to the attention of the clerk or recorder of the political subdivision.

H.B. 278

B and C Roads Fund Amendments (Rep. M. Noel)

This bill:

- ▶ provides that a county or municipality may use up to 30% of the class B and class C roads account funds allocated to the county or municipality to pay the costs of asserting, defending, or litigating local government rights

under R.S. 2477 on class B, class C, or class D roads.

H.B. 342

Disproportionate Rental Fee Amendments (Rep. G. Froerer)

This bill:

- ▶ clarifies that a municipality that has not already imposed a disproportionate rental fee is authorized to impose the fee after meeting specified requirements and conditions;
- ▶ requires municipalities imposing a disproportionate rental fee for the first time to establish a good landlord program allowing the landlord to qualify for a reduction in the disproportionate rental fee if complying with certain requirements;
- ▶ removes the requirement to update the municipal services study every six years for municipalities with a good landlord program;
- ▶ clarifies and rewrites provisions that grandfather certain municipalities from certain requirements and restrictions;
- ▶ establishes a deadline for completing a municipal services study for certain municipalities; and
- ▶ changes the term "governing body" to "legislative body" in certain provisions.

H.B. 402

Enforcement of Carbon Monoxide Detector Requirements (Rep. K. Garn)

This bill:

- ▶ prohibits counties and municipalities from enforcing ordinances, rules, or regulations requiring the installation or maintenance of carbon monoxide detectors in residential dwellings against anyone other than the occupant of the dwelling, subject to an exception for new construction; and
- ▶ clarifies that local health department authority does not include the authority to enforce ordinances, rules, or regulations requiring the installation or maintenance of carbon monoxide detectors in residential dwellings against anyone other than the occupant of the dwelling.

S.B. 56 *Military Installation Development Authority Amendments* (Sen. S. Killpack)

This bill:

- ▶ authorizes the military installation development authority to levy a municipal energy sales and use tax, municipal telecommunications license

- ▶ tax, and a transient room tax;
- ▶ prohibits municipalities from levying a municipal energy sales and use tax, municipal telecommunications license tax, or a transient room tax in a project area described in a project area plan adopted by the military installation development authority;
- ▶ provides for a portion of sales and use tax revenues generated within a project area described in a project area plan adopted by the military installation development authority to be distributed to the military installation development authority;
- ▶ prohibits municipalities, local districts, and special service districts from annexing land within a military installation development authority project area without the consent of the military installation development authority;
- ▶ authorizes the military installation development authority to issue industrial revenue bonds and provides for the authority to be subject to the Utah Industrial Facilities and Development Act;
- ▶ authorizes the military installation development authority to issue assessment bonds and provides for the authority to be subject to the Assessment Area Act;
- ▶ modifies the definitions of "base taxable value," "military land," "project area," "project area budget," "publicly owned infrastructure and improvements," and "taxing entity," eliminates the definition of "record property owner," and enacts new definitions under the Military Installation Development Authority Act;
- ▶ modifies and clarifies the status of the military installation development authority to provide that it has statewide jurisdiction, that its purpose is to facilitate the development of military land, and that it is a political subdivision of the state and a public corporation;
- ▶ modifies the powers of the military installation development authority, including giving it the power to:
 - acquire an interest in property outside a project area, if the board considers it necessary for fulfilling the authority's development objectives; and
 - exercise exclusive police power within a project area;
- ▶ prohibits the military installation development authority from itself providing law enforcement or fire protection service;
- ▶ provides for the distribution of some tax increment revenue;
- ▶ requires some revenues to be used for municipal services within project areas;
- ▶ expands the military installation development authority's exemption from county and municipal ordinances to include an exemption from all county and municipal ordinances and regulations, not just those related to land use;
- ▶ exempts the military installation development authority from the jurisdiction of local districts and special service districts;

- ▶ requires the military installation development authority to provide notice of the establishment of project areas;
- ▶ authorizes the board of the military installation development authority to delegate powers to its staff;
- ▶ provides that board appointees serve at the pleasure of and may be removed and replaced by the appointing authority;
- ▶ modifies requirements for preparing and adopting a project area plan;
- ▶ requires the board of the military installation development authority to adopt a project area budget before receiving or using tax increment and authorizes the board to amend a project area budget;
- ▶ provides that improvements become subject to property tax in the year during which the military installation development authority issues a certificate of occupancy;
- ▶ designates the authority chief financial officer as a public treasurer and requires the chief financial officer to invest certain authority funds as provided in the State Money Management Act;
- ▶ modifies a provision relating to the allowable uses of tax increment; and
- ▶ provides that, upon the dissolution of the military installation development authority, all title to its property vests in the state.

S.B. 68 Mining Protection Amendments (Sen. S. Killpack)

This bill:

- ▶ provides certain protection for specified mining uses of a mine operator that holds a large mine permit issued by the Division or Board of Oil, Gas, and Mining that have resulted, as of a specified date, in the production and selling of commercial quantities of a mineral deposit and that existed before a political subdivision limits the mining use;
- ▶ provides that vested mining uses, as defined, constitute a mining protection area;
- ▶ extends to mining protection areas some of the same protection or similar protection afforded agriculture and industrial protection areas;
- ▶ establishes a conclusive presumption for a vested mining use;
- ▶ defines features of a vested mining use;
- ▶ provides for the rights of a mine operator with a vested mining use; and

- ▶ provides a process for a mine operator to abandon a vested mining use.

S.B. 92 Local Governmental Cooperation in Education Matters (Sen. P. Jones)

This bill:

- ▶ allows local governmental entities and school districts to contract and cooperate with one another in matters affecting the education of their residents; and
- ▶ allows a representative of county government to participate in local school board discussions.

S.B. 93 Building Authorities (Sen. D. Stowell)

This bill:

- ▶ repeals obsolete provisions relating to municipal building authorities.

S.B. 94 Underground Sewer Utilities Facilities Amendments (Sen. J. Greiner)

This bill:

- ▶ requires an owner's permission before an excavator may access or enter the owner's property or dwelling to locate a sewer lateral;
- ▶ requires an operator or person installing or replacing a sewer lateral cleanout beginning August 1, 2009 to install or replace the lateral so that it can be located; and
- ▶ requires sewer operators to maintain records beginning August 1, 2009 identifying the location of new, replaced, or contractor-identified sewer lateral cleanouts;
- ▶ requires sewer operators to provide information pertaining to a sewer lateral cleanout location.

S.B. 115 Payment of Mobile Home Park Relocation Expenses (Sen. W. Niederhauser)

This bill:

- ▶ authorizes counties and municipalities to use certain property tax revenues to pay relocation expenses of mobile home park residents displaced by development activities that change the use of the property; and
- ▶ authorizes taxing entities to share certain property tax revenues with counties and municipalities for the purpose of paying those relocation expenses.

S.B. 190 Acquisition of a Billboard by Eminent Domain (Sen. W. Niederhauser)

This bill:

- ▶ modifies a provision relating to the authority of a billboard owner who is structurally modifying, upgrading, or relocating a billboard;
- ▶ provides that a county or municipality is considered to have initiated the acquisition of a billboard structure if the county or municipality prevents a billboard owner from making modifications, as the billboard owner determines, to a billboard that is modified,

- ▶ upgraded, or relocated;
- ▶ requires counties and municipalities considered to have initiated the acquisition of a billboard by eminent domain to pay just compensation; and
- ▶ defines the just compensation that counties and municipalities are required to pay.

S.B. 213 ***Restaurant Nutrition Labeling***
(Sen. H. Stephenson)

This bill:

- ▶ prohibits counties and municipalities from regulating the dissemination of nutritional information by restaurants and other facilities; and
- ▶ provides that an ordinance or regulation in violation of this prohibition is void.

S.B. 216 ***Revisions to Military Installation Development Authority Act*** (Sen. M. Madsen)

This bill:

- ▶ modifies the definitions of "development project" and "project area";
- ▶ modifies the authority of the military installation development authority;
- ▶ provides that a project area may include specified private land, with the consent of the land's owner.

Municipalities

S.B. 171 ***Municipal Annexation Amendments***
(Sen. S. Jenkins)

This bill:

- ▶ modifies the definition of "affected entity," which includes those entities that, among other things, are entitled to protest a proposed annexation, so that:
 - counties of the third, fourth, fifth, and sixth class are not included unless the area proposed for annexation includes residents or commercial or industrial development; and
 - school districts are included only if their boundary is proposed to be adjusted as a result of the annexation;
- ▶ adds a definition of "unincorporated peninsula";
- ▶ modifies a provision requiring the owner's signature on an annexation petition if only part of the parcel is proposed to be included in an annexation to specify that property with multiple parcel numbers but

owned by the same owner is considered to be a single parcel; and

- ▶ provides that a municipality may annex an area without a property owner annexation petition if the area is an unincorporated island or peninsula of 50 acres or less and the municipality and county agree the area should be annexed.

Public Officials

H.B. 345 ***Elected Officials - Restrictions on Lobbying***
(Rep. B. Dee)

This bill:

- ▶ enacts the Lobbying Restrictions Act, which prohibits certain elected government officials from acting as a lobbyist for one year after leaving office; and
- ▶ requires the lieutenant governor to disapprove an application for a lobbyist license when the applicant does not meet the eligibility requirements.

H.B. 346 ***Campaign and Financial Reporting Requirements Amendments*** (Rep. B. Dee)

This bill:

- ▶ addresses the reporting of in-kind contributions;
- ▶ requires contributions and public service assistance to be reported within 30 days of the day on which they are received; and
- ▶ requires contributions and public service assistance that are made in the form of a negotiable instrument or check to be negotiated before the filing deadline for, and included on, interim reports.

S.B. 156 ***Gifts and Meal Provisions for Public Officials*** (Sen. G. Bell)

This bill:

- ▶ addresses the definition of "tangible personal property";
- ▶ includes admission to various events in the definition of "gift"; and
- ▶ requires reporting of meals costing more than \$25 provided to a public official under certain circumstances.

S.B. 162 ***Use of Campaign Funds Amendments***
(Sen. J. Valentine)

This bill:

- ▶ prohibits the use of campaign and officeholder funds for a purpose that would result in the candidate or officeholder recognizing the funds as taxable income under federal tax law.

Tax

H.B. 67 Public Hearings on Property Tax Increases (Rep. G. Froerer)

This bill:

- ▶ amends the format of the "Truth in Taxation" newspaper advertisement;
- ▶ excludes new growth from the taxing entity's budgeted revenue amounts for purposes of determining the taxing entity's percentage increase listed in a "Truth in Taxation" newspaper advertisement;
- ▶ modifies the advertisement requirements for a taxing entity when the taxing entity's public hearing is advertised by the county auditor;
- ▶ requires certain taxing entities to notify a county auditor of public hearings related to tax increases;
- ▶ requires the county auditor to compile the notices of public hearings;
- ▶ requires publication of the compiled information;
- ▶ requires certain taxing entities to provide information to taxpayers;
- ▶ provides for the payment of costs; and
- ▶ addresses the scope of the provision.

H.B. 157 Property Tax Assessment Amendments (Rep. W. Harper)

This bill:

- ▶ amends the licensing requirements for first, second, and third class county assessors to require those county assessors to be state licensed or state certified appraisers prior to taking office as a county assessor;
- ▶ requires second through sixth class counties to levy an additional .000010 per dollar of taxable value for its Multicounty Assessing and Collecting Levy;
- ▶ requires certain revenue from the Property Tax Valuation Agency Fund to be disbursed to the Multicounty Appraisal Trust;
- ▶ decreases the county additional property tax for certain second and third class counties;
- ▶ provides a method to determine the amount of revenue to be transferred from the Property Tax Valuation Agency Fund to the Multicounty Appraisal Trust; and
- ▶ provides that the Multicounty Appraisal Trust oversee the distributions of revenue received from the Property Tax Valuation Agency Fund.

S.B. 65 Amendments to Property Tax Notice, Public Hearing, and Resolution Provisions (Sen. D. Stowell)

This bill:

- ▶ modifies property tax notice, public hearing, and resolution requirements if a taxing entity seeks to levy a tax rate that exceeds the certified tax rate; and
- ▶ addresses exceptions to the property tax notice or public hearing requirements.

S.B. 248 Tax Amendments (Sen. G. Bell)

This bill:

- ▶ amends the additional public transit tax to:
 - expand the uses of tax revenues;
 - create an exemption from certain election requirements; and
 - provide that if an exemption from election requirements applies a county, city, or town shall obtain approval to impose the tax from the county, city, or town legislative body;
- ▶ amends a local option sales and use tax for airports, highways, and public transit by:
 - providing and modifying definitions;
 - allowing a city or town within a county of the second class to impose the tax in addition to a county of the second class under certain circumstances;
 - modifying the purposes for which tax revenues may be expended, including providing that certain cities and towns may expend up to all of the revenues collected from the tax for certain airport facilities;
 - addressing certain notice requirements for a city or town imposing the tax; and
 - addressing procedures for the State Tax Commission to distribute tax revenues;
- ▶ addresses the expenditure of revenues deposited into the Local Transportation Corridor Preservation Fund if those revenues are allocated to a city or town that imposes the local option sales and use tax for airports, highways, and public transit; and
- ▶ addresses the expenditure of revenues deposited into the County of the Second Class State Highway Projects Fund if those revenues are deposited for or allocated to a city or town that imposes the local option sales and use tax for airports, highways, and public transit.

Transportation, Motor Vehicles, etc.

H.B. 272 Utah Scenic Byway Designation Amendments (Rep. C. Herrod)

This bill:

- ▶ changes the membership of the Utah State Scenic Byway Committee;
- ▶ provides that the governor shall appoint certain

- members to the Utah State Scenic Byway Committee;
- ▶ provides that the term of office for Utah State Scenic Byway Committee members is four years, except that the governor shall stagger certain terms;
- ▶ provides that the Legislature shall approve highway and state scenic byway nominations for National Scenic Byway or All-American Road designation;
- ▶ provides that a highway located within a county, city, or town within this state may not be included as part of a designation or nomination as a state scenic byway, National Scenic Byway, or All-American Road unless the nomination or designation is sanctioned in writing by an official action of the legislative body of each county, city, or town in which the highway passes;
- ▶ provides that if a county does not give approval, then the portion of the highway located within the boundaries of the county, city, or town may not be included as part of any state scenic byway designation or nomination as a National Scenic Byway or All-American Road;
- ▶ establishes a procedure for segmenting a scenic byway;
- ▶ exempts Legacy Parkway from:
 - the legislative approval requirement for nomination as a National Scenic Byway or All-American Road; and
 - segmentation; and
- ▶ exempts a highway nominated for National Scenic Byway or All-American Road designation prior to January 1, 2009 from the legislative approval requirement.

H.B. 290

***Prohibition of Wireless Communication Device Use in a Motor Vehicle* (Rep. S. Clark)**

This bill:

- ▶ prohibits a person from using a handheld wireless communication device for text messaging or electronic mail communication while operating a moving motor vehicle on a highway in this state;
- ▶ provides exceptions to the handheld wireless communication device prohibition;
- ▶ provides penalties for violating the prohibition on using a handheld wireless communication device for text messaging or electronic mail

communication while operating a moving motor vehicle;

- ▶ provides that criminal homicide is automobile homicide if a person operates a moving vehicle in a negligent or criminally negligent manner causing the death of another and was using a handheld wireless communication device for text messaging or electronic mail communication at the time of operation;
- ▶ provides penalties for automobile homicide in certain circumstances;
- ▶ provides that a judge may order that a person's driver license be suspended for three months upon conviction for a violation of the prohibition on using a handheld wireless communication device for text messaging or electronic mail communication while operating a moving motor vehicle; and
- ▶ requires the Driver License Division to immediately revoke, deny, suspend, or disqualify a person's license upon receiving a record of the person's conviction of automobile homicide while using a handheld wireless communication device for text messaging or electronic mail communication.

H.B. 371

***Transportation Governance* (Rep. W. Harper)**

This bill:

- ▶ reduces the number of members on a public transit district board of trustees if more than 200,000 people reside within the boundaries of the public transit district;
- ▶ extends the terms of certain public transit district board members from two to four years;
- ▶ provides restrictions on appointment and officer selections for locally elected public officials serving on a public transit district board of trustees;
- ▶ provides transition provisions for existing public transit district board members whose positions are eliminated by reducing the number of members on certain public transit district boards of trustees;
- ▶ authorizes a public transit district to require certain persons to obtain a criminal background check;
- ▶ provides that information obtained by a public transit district from a criminal background check may only be used for certain purposes;
- ▶ provides that a person is ineligible for certain employment with a public transit district if the person has been convicted of certain offenses;
- ▶ requires the Department of Transportation to annually report to an appropriate legislative committee as designated by Legislative Management Committee the transfers that need to be made between all transportation-related funds to maintain the highway funding program as prioritized by the Transportation Commission;
- ▶ provides that transportation commissioners

- shall be selected on a nonpartisan basis;
- ▶ provides that for Transportation Commission appointments made on or after July 1, 2009, the selection of commissioners shall be:
 - four commissioners with one of the commissioners selected from each of the regions established by the Department of Transportation; and
 - three commissioners selected from the state at large;
- ▶ provides that the Transportation Commission shall annually report to a committee designated by the Legislative Management Committee a prioritized list of the new transportation capacity projects in the state transportation system and the funding levels available for those projects and the unfunded highway construction and maintenance needs within the state;
- ▶ provides that the committee designated by the Legislative Management Committee shall review the list reported by the Transportation Commission and make a recommendation to the Legislature on the amount of additional funding to allocate to transportation and the source of revenue for the additional funding allocation;
- ▶ provides that the Department of Transportation may not delay a new transportation capacity project that was funded by the Legislature in an appropriations act to a different fiscal year than programmed by the Transportation Commission due to an unavoidable shortfall in revenues unless the project delays are prioritized and approved by the Transportation Commission;
- ▶ provides that the Transportation Commission shall prioritize and approve any new transportation capacity project delays for projects that were funded by the Legislature in an appropriations act due to an unavoidable shortfall in revenues;
- ▶ provides that the Department of Transportation may not delay a Critical Highway Needs Fund project that was funded by the Legislature in an appropriations act to a different fiscal year than programmed by the Transportation Commission or that general obligation bond proceeds

have been issued for in the current fiscal year due to an unavoidable shortfall in revenues unless the project delays are prioritized and approved by the Transportation Commission; and

- ▶ provides that the Transportation Commission shall prioritize and approve any Critical Highway Needs Fund project delays due to an unavoidable shortfall in revenues for a project:
 - that was funded by the Legislature in an appropriations act; or
 - that general obligation bond proceeds were issued for in the current fiscal year.

S.B. 40 Lawful Presence Verification for Issuance of a Driver License or Identification Card (Sen. C. Bramble)

This bill:

- ▶ defines and creates a limited-term license certificate, limited-term CDL, and limited-term identification card;
- ▶ provides that an applicant for a license certificate, limited-term license certificate, commercial driver license, limited-term CDL, identification card, or limited-term identification card shall provide evidence of lawful presence in the United States;
- ▶ provides that an applicant for a license certificate, limited-term license certificate, commercial driver license, limited-term CDL, identification card, or limited-term identification card shall provide documentary evidence of the applicant's valid Social Security number or other acceptable documentation approved by the division;
- ▶ provides that an applicant for a driver license, CDL, or identification card shall be granted a limited-term license certificate, limited-term CDL, or limited-term identification card if the applicant's evidence of lawful presence in the United States is established by certain documents;
- ▶ grants the Driver License Division rulemaking authority to establish:
 - rules specifying the acceptable documents for evidence of a valid Social Security number and establishing proof of citizenship in the United States; and
 - procedures for the storage and maintenance of the information provided by an applicant for a driver license, CDL, or identification card; and
- ▶ repeals the Driver License Division's authority to issue a nonresident CDL to a resident of a foreign jurisdiction in certain circumstances.

S.B. 57 Local Option Transportation Corridor Preservation Fund Amendments (Sen. R. Okerlund)

This bill:

- ▶ provides that monies in the Local Option Transportation Corridor Preservation Fund shall earn interest and that all interest earned on fund monies shall be deposited into the fund;
- ▶ requires the Department of Transportation to annually allocate the interest earned on fund monies to each county based on the proportionate amount of interest earned on each county's allocation of funds on an average monthly balance basis; and
- ▶ provides that the initial allocation of fund interest shall include all interest earned on fund monies since the creation of the fund.

S.B. 239 Transportation Revisions (Sen. S. Killpack)

This bill:

- ▶ increases certain motor vehicle registration fees by \$20;
- ▶ provides that \$20 of certain motor vehicle registration fees shall be deposited in the Transportation Investment Fund of 2005;
- ▶ authorizes the issuance of general obligation bonds to pay for certain state highway construction or reconstruction projects;
- ▶ specifies the use of general obligation bond proceeds and the manner of issuance;
- ▶ exempts certain general obligation bonds from certain debt limitation provisions; and
- ▶ requires the Department of Transportation and the Transportation Commission to report the amount of bonds needed to fund certain projects in the next fiscal year to the Executive Appropriations Committee of the Legislature before the bonds may be issued.

S.B. 272 Driver License Sanctions and Sentencing Requirements for Driving Under the Influence and Alcohol Related Offenses (Sen. S. Jenkins)

This bill:

- ▶ increases the driver license suspension periods for certain driving under the influence offenses committed on or after July 1, 2009:
 - from a period of 90 days to

120 days for a person 21 years of age or older on the date of arrest who has violated certain driving under the influence or alcohol related offenses for the first time;

- from a period of one year to two years for a person 21 years of age or older on the date of arrest who has violated certain driving under the influence or alcohol related offenses two or more times;
- from a period of 24 months to a period of 36 months for a person who is 21 years of age or older, who refuses to submit to a chemical test, and who has a previous license sanction for certain alcohol related offenses;
- from a period of 90 days to until the person is 21 years of age or for a period of 120 days, whichever is longer, for a person under 21 years of age on the date of arrest who has violated certain driving under the influence provisions for the first time;
- from a period of one year to until the person is 21 years of age or for a period of two years, whichever is longer, for a person under 21 years of age on the date of arrest who has violated certain driving under the influence provisions two or more times;
- from a period of 18 months to until the person is 21 years of age or for a period of 18 months, whichever is longer, for a person who is under 21 years of age and who refuses to submit to a chemical test; and
- from a period of 24 months to until the person is 21 years of age or for a period of 36 months, whichever is longer, for a person who is under 21 years of age who refuses to submit to a chemical test, and who has a previous license sanction for certain alcohol related offenses;

▶ provides that a person is an interlock restricted driver if the person, within the last 18 months, has been convicted of a driving under the influence violation;

▶ requires a court to order a minor's driver license suspended for a period of one year if the minor violates certain alcohol related offenses for the first time and the violation was committed on or after July 1, 2009;

▶ provides that a court may reduce a minor's license suspension for certain alcohol related offenses if the violation is the minor's first violation and the minor completes an educational series; and

▶ requires a court to order a minor's driver

- ▶ license suspended for a period of two years for a second or subsequent violation of certain alcohol related offenses and the violation was committed on or after July 1, 2009; provides that for a second or subsequent violation of certain alcohol related offenses, a court shall order a minor to participate in an educational series and may order a minor to participate in a screening.

Water

H.B. 205 Water Source Protection Amendments (Rep. M. Noel)

This bill:

- ▶ limits the requirement to adopt a water source protection ordinance to counties of the first or second class; and
- ▶ limits the authorization of a municipality to adopt a water source protection ordinance to municipalities located within a county of the first or second class.

H.B. 235 Dam Safety Amendments (Rep. S. Sandstrom)

This bill:

- ▶ requires a person to submit to the state engineer work plans for a dam classified as a high hazard structure; and
- ▶ authorizes the state engineer to inspect a dam regulated under Title 73, Chapter 5a, Dam Safety.